

MARYLAND LEGISLATURE—EXPUNGING RESOLUTIONS—SENATE.

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APRIL 11, 1836.

To lie on the table until Monday next.

JUNE 6, 1836.

Ordered to lie on the table.

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BY THE HOUSE OF DELEGATES.

*March 2, 1836.*

Whereas, by the fifth section of the first article of the constitution of the United States, it is provided, that each of the houses of Congress shall keep a journal of its proceedings; and whereas, the Senate of the United States, in the year 1834, at the first session of the twenty-third Congress, did, in its legislative capacity, pass the following resolution:-

“*Resolved*, That the President, in the Executive proceedings in relation to the public revenue, has assumed upon himself authority and power not conferred by the constitution and laws, but in derogation of both.”

Which resolution consequently became a part of the proceedings of the Senate at that session; and whereas, attempts are now making in several of the States of this Union, to cause said resolution to be expunged from the journal of the House, which, if carried into effect, will cause said journal not to be a record of the proceedings of the House, but of a part of its proceedings, in utter disregard of the provision already cited of the constitution of the United States; and whereas, the power to expunge the record of any portion of the proceedings of the Senate, necessarily implies the power to expunge or efface the whole, and may leave the country at any time, (a bare majority should deem fit,) without an official record of the proceedings of one or both branches of the National Legislature.

And forasmuch as the people of the State of Maryland, to whom the federal constitution is dear, by whom it has been ever cherished, and who are determined at all hazards to maintain it, view with deep solicitude this alarming infraction of one of its important provisions, and are desirous to record their solemn protest against its violation. Therefore,

*Resolved by the General Assembly of Maryland*, That the expunging from the journal of either House of Congress, the whole or any part of the proceedings of the body, is a manifest and dangerous violation of the constitution of the United States. *And be it further resolved*, That our Senators and Representatives in Congress be requested to use all constitutional means to prevent a measure fraught with such danger to constitutional freedom.

*Resolved*, That his Excellency the Governor be requested to transmit a copy of the preceding preamble and resolutions to each of our Senators and Representatives in the Congress of the United States.

By order:

G. G. BREWER, *Clerk*.

By the Senate, March 19, 1836:

Read and assented to.

By order:

JOS. H. NICHOLSON, *Clerk*.